

variable costs or fixed costs not attributable to the firm transportation service. Except as provided in this paragraph, the pipeline may not include in a rate for any transportation provided under subpart B, C or G of this part any minimum bill or minimum take provision, or any other provision that has the effect of guaranteeing revenue.

(e) *Limitation.* A person providing service under Subpart B, C or G of this part is not required to provide any requested transportation service for which capacity is not available or that would require the construction or acquisition of any new facilities.

[Order 436, 50 FR 42493, Oct. 18, 1985]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 284.8, see the List of CFR Sections Affected in the Finding Aids section of this volume.

#### **§ 284.9 Interruptible transportation service.**

(a) *Interruptible transportation availability.* (1) An interstate pipeline that provides firm transportation service under subpart B or G of this part must also offer transportation service on an interruptible basis under that subpart or subparts and separately from any sales service.

(2) An intrastate pipeline that provides transportation service under Subpart C may offer such transportation service on an interruptible basis.

(3) *Service on an interruptible basis* means that the capacity used to provide the service is subject to a prior claim by another customer or another class of service and receives a lower priority than such other classes of service.

(b) *Non-discriminatory access.* (1) An interstate or intrastate pipeline that offers interruptible service under subpart B, C or G must provide such service without undue discrimination, or preference, including undue discrimination or preference in the quality of service provided, the duration of service, the categories, prices, or volumes of natural gas to be transported, customer classification, or undue discrimination or preference of any kind.

(2) An interstate pipeline that offers transportation service on an interruptible basis under subpart B or G of this part must provide each service on a

basis that is equal in quality for all gas supplies transported under that service, whether purchased from the pipeline or another seller.

(3) An interstate pipeline that offers transportation service on an interruptible basis under subpart B or G of this part must provide all shippers with equal and timely access to information relevant to the availability of such service. The information must be provided on an Electronic Bulletin Board with the features prescribed in § 284.10(a) and as required by § 284.10(b).

(4) An interstate pipeline that offers transportation service on an interruptible basis under subpart B or G of this part may not include in its tariff any provision that inhibits the development of market centers.

(c) *Reasonable operational conditions.* Consistent with paragraph (b) of this section, a pipeline may impose reasonable operational conditions on any service provided under this part. Such conditions must be filed by the pipeline as part of its transportation tariff.

(d) *Reservation fee.* No reservation fee may be imposed for interruptible service. A pipeline's rate for any transportation service provided under this section may not include any minimum bill provision, minimum take provision, or any other provision that has the effect of guaranteeing revenue.

(e) *Limitation.* A person providing service under subparts B, C or G of this part is not required to provide any requested transportation service for which capacity is not available or that would require the construction or acquisition of any new facilities.

[Order 436, 50 FR 42494, Oct. 18, 1985]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 284.9, see the List of CFR Sections Affected in the Finding Aids section of this volume.

#### **§ 284.10 Standards for pipeline business operations and communications.**

(a) *Electronic Bulletin Boards.* An interstate pipeline that is required by this chapter or by its tariff to display information on an Electronic Bulletin Board must provide for the following features on its board:

(1) Downloading by users;

(2) Daily back-up of information displayed on the board, which must be available for user review for at least three years;

(3) Purging of information on completed transactions from current files;

(4) Display of most recent entries ahead of information posted earlier; and

(5) On-line help, a search function that permits users to locate all information concerning a specific transaction, and a menu that permits users to separately access the notices of available capacity, the marketing affiliate discount information, the marketing affiliate capacity allocation log, and the standards of conduct information.

(b) *Incorporation by Reference of Business Practice and Electronic Communication Standards.* (1) An interstate pipeline that transports gas under subpart B or G of this part must comply with the following business practice and electronic communication standards promulgated by the Gas Industry Standards Board, which are incorporated herein by reference:

(i) Nominations Related Standards (Version 1.1, January 31, 1997), with the exception of Standard 1.3.32;

(ii) Flowing Gas Related Standards (Version 1.1, January 31, 1997), with the exception of Standards 2.3.29 and 2.3.30;

(iii) Invoicing Related Standards (Version 1.1, January 31, 1997);

(iv) Electronic Delivery Mechanism Related Standards (Version 1.0, October 24, 1996), with the exception of Standard 4.3.5; and

(v) Capacity Release Related Standards (Version 1.1, January 31, 1997).

(2) This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of these standards may be obtained from the Gas Industry Standards Board, 1100 Louisiana, Suite 4925, Houston, TX 77002. Copies may be inspected at the Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street, NE., Washington, DC 20426 and at the Office of the Federal Register,

800 North Capitol St., NW., Suite 700, Washington, DC.

[Order 587, 61 FR 39068, July 26, 1996, as amended by Order 587-B, 62 FR 5525, Feb. 6, 1997; Order 587-C, 62 FR 10690, Mar. 10, 1997]

EFFECTIVE DATE NOTE: By Order 587-C, 62 FR 10690, Mar. 10, 1997, §284.10 was amended by revising paragraphs (b)(1)(i) through (v), effective Apr. 9, 1997. For the convenience of the user, the superseded text appears as set forth as follows:

**§284.10 Standards for pipeline business operations and communications.**

\* \* \* \* \*

(b) *Incorporation by Reference of Business Practice and Electronic Communication Standards.* (1) An interstate pipeline that transports gas under subpart B or G of this part must comply with the following business practice and electronic communication standards promulgated by the Gas Industry Standards Board, which are incorporated herein by reference:

(i) Nominations Related Standards (Version 1.0, June 14, 1996);

(ii) Flowing Gas Related Standards (Version 1.0, June 14, 1996);

(iii) Invoice Related Standards (Version 1.0, June 14, 1996);

(iv) Electronic Delivery Mechanism Related Standards, Principles 4.1.1 through 4.1.15 and Standards 4.3.1 through 4.3.4 and 4.3.7 through 4.3.15 (Version 1.0, October 24, 1996); and

(v) Capacity Release Related Standards (Version 1.0, June 14, 1996).

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**§284.11 Environmental compliance.**

(a) Any activity involving the construction of, or the abandonment with removal of, facilities that is authorized pursuant to §284.3(c) and Subpart B or C of this part is subject to the terms and conditions of §157.206(d) of this chapter.

(b) *Advance notification*—(1) *General rule.* Except as provided in paragraph (b)(2) of this section, at least 30 days prior to commencing construction a company must file notification with the Commission of any activity described in paragraph (a) of this section.

(2) *Exception.* The advance notification described in paragraph (b)(1) of this section is not required if the cost of the project does not exceed the cost